

DOWD, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

David Waldron and Associates, Inc., et al.,)	
)	CASE NO. 5:11 CV 2247
Plaintiffs,)	
)	
v.)	<u>MEMORANDUM OPINION</u>
)	
Loon, LLC, et al.,)	
)	
)	
Defendants.)	

This matter, involving a dispute among the parties regarding an oil and gas lease for property in Guernsey County, Ohio, was referred to Magistrate Judge Burke for general pre-trial supervision. The case was originally removed from the Wayne County Court of Common Pleas, and plaintiffs challenged the removal in a motion to remand. ECF 16. On April 17, 2012, Magistrate Judge Burke issued a Report and Recommendation recommending that plaintiffs' motion for remand be denied. ECF 47.

Under the relevant statute:

[T] magistrate judge shall file [her] proposed findings and recommendations under subparagraph (B) with the court and a copy shall forthwith be mailed to all parties.

Within fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.

28 U.S.C. § 636(b)(1)(C).

(5:11 CV 2247)

No objections have been filed to the Report and Recommendation. The failure to file written objections to a Magistrate Judge's report and recommendation constitutes a waiver of a *de novo* determination by the district court of an issue covered in the report. *Thomas v. Arn*, 728 F.2d 813 (6th Cir. 1984), *aff'd*, 474 U.S. 140 (1985); *see United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

The Court has reviewed the Magistrate Judge's Report and Recommendation and adopts the same. Accordingly, plaintiff's motion to remand (ECF 16) is DENIED.

IT IS SO ORDERED.

May 4, 2012
Date

s/ David D. Dowd, Jr.
David D. Dowd, Jr.
U.S. District Judge